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August 9, 2018

VIA ECF

Honorable Paul G. Gardephe
United States District Judge
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, New York 10007

Re: *Cruz Sanchez et al v. Rainbow Umbrella, LLC et al*;
1:18-cv-01360-PGG

Your Honor:

Our firm represents Plaintiffs in the above-referenced matter. I write to provide clarification regarding Plaintiffs' position on our letter motion for leave to file second amended complaint (Dkt. No. 47). After conferring with clients and with my colleagues, Plaintiffs will not be seeking to certify a class or collective in this matter. We do apologize for the confusion surrounding this issue. The facts of this case have not been entirely clear, but after further investigation, we do now believe it is in our clients' best interest to move forward not as a class or collective action.

Plaintiffs do, however, still wish to move forward with a second amended complaint adding one additional plaintiff so that judicial resources may be saved and the plaintiff need not file his own action. We very much thank the Court for its attention to this matter and again apologize for the confusion.

Respectfully Submitted,

/s/Haleigh R. Amant

Haleigh R. Amant

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